

THE HONORABLE JAMES L. ROBART

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ANNA PATRICK, DOUGLAS MORRILL,
ROSEANNE MORRILL, LEISA GARRETT,
ROBERT NIXON, SAMANTHA NIXON,
DAVID BOTTONFIELD, ROSEMARIE
BOTTONFIELD, TASHA RYAN,
ROGELIO VARGAS, MARILYN DEWEY,
PETER ROLLINS, RACHAEL ROLLINS,
KATRINA BENNY, SARA ERICKSON,
GREG LARSON, and JAMES KING,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

DAVID L. RAMSEY, III, individually;
HAPPY HOUR MEDIA GROUP, LLC, a
Washington limited liability company; THE
LAMPO GROUP, LLC, a Tennessee limited
liability company,

Defendants.

Case No. 2:23-cv-00630-JLR

**DECLARATION OF DAMON C. ELDER
IN SUPPORT DEFENDANTS DAVID
RAMSEY, III AND THE LAMPO GROUP,
LLC'S MOTION TO STAY
PROCEEDINGS PENDING RULING ON
MOTION TO COMPEL ARBITRATION**

Hearing Date: August 15, 2024

DECLARATION OF DAMON C. ELDER IN SUPPORT OF
DEFENDANTS DAVID RAMSEY, III AND THE LAMPO GROUP,
LLC'S MOTION TO STAY PROCEEDINGS PENDING RULING ON
MOTION TO COMPEL ARBITRATION
(Case No. 2:23-cv-00630-JLR)

MORGAN, LEWIS & BOCKIUS LLP
ATTORNEYS AT LAW
1301 SECOND AVENUE, SUITE 3000
SEATTLE, WASHINGTON 98101
TEL +1.206.274.6400 FAX +1.206.274.6401

1 I, Damon C. Elder, hereby declare as follows:

2 1. I am an attorney with Morgan, Lewis & Bockius LLP and represent Defendants
3 David Ramsey, III and The Lampo Group, LLC (“the Lampo Defendants”) in the above-
4 captioned action. I am over eighteen years of age and am competent to testify herein. I make the
5 following statements based on my personal knowledge.

6 2. If this matter is not stayed pending the Court’s decision on the Lampo Defendants’
7 motion to compel arbitration, the parties will have to expend significant time and resources to
8 meet the current case schedule while the motion to compel arbitration is pending. Those expenses
9 will include preparing for and engaging in extensive, and extremely expensive, expert discovery
10 related to whether a class can or should be certified. It is likely that each side will offer multiple
11 experts on the issue of class certification, incurring substantial expert fees and the time and
12 expenses necessary to conduct multiple depositions and other expert-related discovery.

13 3. In addition, Plaintiffs’ current discovery requests seek discovery related to their
14 entire proposed class, including (among other things) copies of every daily broadcast or podcast
15 aired by the Lampo Defendants about issues related to this case, over a period of six years. Based
16 on our firm’s research into collection, production, and review costs, the costs associated with
17 those voluminous broadcasts alone is likely to exceed \$50,000, on top of the process of reviewing
18 and producing other documents.

19 I declare under penalty of perjury under the laws of the United States that the foregoing is
20 true and correct.

21 Executed this 25th day of July, 2024 at Seattle, Washington.

22
23 By: s/ Damon C. Elder
Damon C. Elder